REMARKS

This Amendment is responsive to the Office Action dated March 16, 2006. Applicants have cancelled claims 1-10, amended claims 19, 21, 25, 31 and 32, and added new claims 33-41. Claim 13 was cancelled in a previous submission. Accordingly, claims 11, 12 and 14-41 are pending.

Claim Rejections Under 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 11, 17, 19, 23 and 24 under 35 U.S.C. § 102(b) as being anticipated by US 5,879,383 to Bruchman et al. (Bruchman). The Examiner also rejected claim 19 under 35 U.S.C. § 102(b) as being anticipated by US 5,433,909 to Martakos et al. (Martakos). The Examiner also rejected claims 11, 12 and 19-21 under 35 U.S.C. § 102(b) as being anticipated by EP 790042 by Okuda et al. (Okuda). The Examiner also rejected claims 25-30 under 35 U.S.C. § 102(b) as being anticipated by US 6,352,555 to Dzau et al. (Dzau). The Examiner also rejected claims 11, 12, 14-24, 31 and 32 under 35 U.S.C. § 102(b) as being anticipated by US 4,596,577 to Sato (Sato).

Applicants respectfully traverse these rejections to the extent such rejections may be considered applicable to the amended claims. Each of the applied references fails to disclose every feature of the claimed invention, as required by 35 U.S.C. § 102(b).

Bruchman (US 5,879,383)

The Examiner rejected claims 11, 17, 19, 23 and 24 under 35 U.S.C. § 102(b) as being anticipated by Bruchman. However, Bruchman fails to disclose all of the limitations of claims 11, 17, 19, 23 and 24, as required by 35 U.S.C. § 102(b).

Claims 11 and 17

Bruchman fails to disclose or suggest a method comprising rubbing a luminal surface to lift nodes from the luminal surface to define a plurality of recesses, as required by independent claim 11, and claim 17 which depends from claim 11. Instead, Bruchman teaches that a "control artery [for an experimental example] had the subendothelium removed by rubbing the endothelial

surface with a cotton swab."[1] Rubbing a surface to remove a layer of cells, as taught by Bruchman, is not a disclosure of rubbing a surface to lift nodes and define recesses, as recited in claim 11.

Furthermore, in rejecting claim 11, the Examiner asserted that swabbing an artery, as discussed in Bruchman, would have resulted in knobs or protrusions formed on the luminal surface of the artery. This assertion is unsupported by the teachings of Bruchman. Bruchman does not teach, or even suggest, that removal of the subendothelium results in knobs or protrusions. Nor is the formation of knobs or protrusions inherent in the teachings of Bruchman. Removal of the subendothelium, as taught by Bruchman, would not *necessarily* result in knobs or protrusions on the luminal surface of the control artery, as would be required for a finding of inherency.[2]

Moreover, the Examiner's interpretation of the term "nodes" in claim 11 as being knobs or protrusions formed on a surface by swabbing is unreasonable. In order to be reasonable, the interpretation of a claim term must be consistent with the specification, and the interpretation that those of ordinary skill in the art would reach.[3] Nodes are described in Applicants' specification as features present within a material prior to lifting, which may then be lifted from a surface to form recesses.[4] The Examiner's knobs or protrusions are only present as a result of swabbing. Upon consideration of the specification, a person of ordinary skill would not have considered knobs or protrusions formed on a surface by swabbing to be "nodes" within the meaning of claim 11.

Claims 19, 23 and 24

Bruchman fails to disclose or suggest any method comprising lifting nodes from a surface. Accordingly, Bruchman fails to disclose or suggest a method comprising applying a frictional force to a medical device including expanded polytetrafluoroethylene to lift nodes from the surface to define a plurality of recesses, as required by independent claim 19, as amended.[5]

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[1] Bruchman, col. 18, ll. 60-62 (emphasis added).
[2] MPEP § 2112 (IV), *citing In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999).
[3] MPEP § 2111.
[4] *See, e.g.*, paragraphs [0007] and [0037] - [0039].
[5] Applicants have amended independent claim 19 to include the term "frictional." Support for this amendment may be found throughout the application as originally filed, including, for example, paragraphs [0056] and [0066].

Further, Bruchman fails to disclose or suggest a method comprising applying a pressuring fluid to a medical device including expanded polytetrafluoroethylene to lift nodes from the surface to define the plurality of recesses, as required by claim 23, or a method comprising applying pressuring water or air to a medical device including expanded polytetrafluoroethylene to lift nodes from the surface to define the plurality of recesses, as required by claim 24.

In rejecting claims 19, 23 and 24, the Examiner relied on a teaching in Bruchman of flushing an ePTFE sheath with water. However, Bruchman teaches flushing the sheath with water "to remove alcohol prior to testing," rather than to lift nodes from a surface to define a plurality of recesses, as required by claims 19, 23 and 24.[6] Bruchman does not suggest that the described flushing would have lifted nodes from a surface of the sheath, or formed recesses. Further, flushing a sheath with water to remove alcohol, as described by Bruchman, would not *necessarily* lift nodes from a surface to define recesses, as would be required for a finding that lifting nodes was inherent in the Bruchman disclosure.[7]

Additionally, the assertion that pores or other spaces between microstructures that are present within Bruchman sheath in without lifting nodes are "recesses" within the meaning of claim 19 is an unreasonable construction of that term. As recited in claim 19, and described throughout the specification, "recesses" are formed when nodes are lifted. Accordingly, a person of ordinary skill would not have interpreted the term recesses in claim 19 to include the pores or spaces within the Bruchman sheath.

Bruchman fails to disclose each and every limitation set forth in claims 11, 17, 19, 23 and 24. For at least this reason, the Examiner has failed to establish anticipation of these claims by Bruchman under 35 U.S.C. § 102(b). Withdrawal of these rejections is respectfully requested.

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[6] Bruchman, col. 12, ll. 25-27.
[7] MPEP § 2112 (IV), *citing In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999).

Martakos (US 5,433,909)

The Examiner rejected claim 19 under 35 U.S.C. § 102(b) as being anticipated by Martakos. However, Martakos fails to disclose all of the limitations of claim 19, as required by 35 U.S.C. § 102(b).

For example, Martakos fails to disclose, or even suggest, a method comprising applying a frictional force to a medical device including expanded polytetrafluoroethylene to lift nodes from the surface to define a plurality of recesses, as required by independent claim 19, as amended. The Examiner cited teachings within Martakos of stretching an extrudate. However, Martakos does not suggest that such stretching lifts nodes from a surface of the extrudate, or, for that matter, suggest any method comprising lifting nodes from a surface, as required by amended claim 19.

Furthermore, the stretching described by Martakos is not application of a frictional force, as required by amended claim 19. Also, the pores present in the Martakos extrudate without lifting nodes are not "recesses" that result from lifting of nodes within the meaning of claim 19, for the reasons discussed above with reference to Bruchman.

Martakos fails to disclose each and every limitation set forth in claim 19. For at least this reason, the Examiner has failed to establish anticipation of this claim by Martakos under 35 U.S.C. § 102(b). Withdrawal of this rejection is respectfully requested.

Okuda (EP 790042)

The Examiner rejected claims 11, 12 and 19-21 under 35 U.S.C. § 102(b) as being anticipated by Okuda. However, Okuda fails to disclose all of the limitations of claims 11, 12 and 19-21, as required by 35 U.S.C. § 102(b).

For example, like Bruchman and Martakos, Okuda fails to disclose, or even suggest, any method comprising lifting nodes from a surface. Accordingly, Okuda fails to disclose or suggest a method comprising rubbing a luminal surface to lift nodes from the luminal surface, as required by independent claim 11 and dependent claim 12. Further, Okuda fails to disclose or suggest applying a frictional force to a medical device including expanded polytetrafluoroethylene to lift nodes from the surface, as required by independent claim 19, as amended, as well as dependent claims 20 and 21.

As described in Applicants' specification, methods according to Applicants' invention may include brushing, rubbing, or application of some other force to lift nodes from a surface to define recesses. Okuda teaches doing something different, i.e., inserting a stainless steel rod into a first ePTFE tube, for an entirely different purpose, i.e., to provide support for lamination of a second tube over the first tube.[8] Nowhere does Okuda suggest that insertion of the rod into the tube is done for the purpose of lifting nodes from a surface of the tube. Nor is there any teaching within Okuda suggesting that insertion of the rod into the tube would have lifted nodes from a surface of the tube.

Notably, the Examiner has admitted that there is no explicit teaching of lifting nodes within Okuda. Nonetheless, the Examiner asserted that "the claimed physical properties (lifted nodes formed from the luminal surface to define a plurality of recesses) are present in the prior art material to some extent even though they are not explicitly recited."[9] This apparent inherency argument is flawed.

Inserting a rod into an ePTFE tube, as described by Okuda, would not *necessarily* result in lifting of nodes, as would be required for an argument that lifting nodes was inherent in the Okuda disclosure.[10] Instead, if such insertion affected the surface of the tube at all, it would have leveled or compacted the surface, rather than lift nodes from the surface, as required by Applicants' claims. Moreover, lamination of a layer over the tube using a rod within the lumen for support, as described by Okuda, would have further compacted the luminal surface. Accordingly, the argument that lifting nodes is inherent in the teachings of Okuda is without merit.

Additionally, Applicants disagree that Okuda teaches "rubbing" within the meaning of claim 11. Instead, Okuda teaches placing a rod within a tube. A person of ordinary skill in the art would not understand placing a rod within a tube, as described by Okuda, to be "rubbing" under any ordinary or reasonable interpretation of that term.

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[8] Okuda, paragraph [0079].
[9] Office Action, page 3.
[10] MPEP § 2112 (IV), *citing In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999).

The Examiner also "burden[ed] the applicant to show that [lifted nodes and recesses] are not present in the prior art."[11] The inability to identify any explicit or inherent teaching of the requirements of Applicants' claims in the prior art cannot be used to shift the burden of proof in *ex parte* examination to the Applicants. Instead, such efforts indicate a failure to properly establish anticipation of Applicants' claims.

The Examiner cited *Ex Parte Phillips*, 28 USPQ2d 1302 (BPAI 1993) as supporting such burden shifting. However, such burden shifting is permitted only after the Examiner has established a prima facie case of anticipation based on inherency.[12] For the reasons discussed above, the Examiner in the present case has failed to establish a prima facie case of anticipation of claims 11 and 19 based on inherency. Thus, it is improper for the Examiner to shift the burden of proof to Applicants.

Okuda fails to disclose each and every limitation set forth in claims 11, 12 and 19-21. For at least this reason, the Examiner has failed to establish a prima facie case for anticipation of these claims by Okuda under 35 U.S.C. § 102(b). Withdrawal of these rejections is respectfully requested.

Dzau (US 6,352,555)

The Examiner rejected claims 25-30 under 35 U.S.C. § 102(b) as being anticipated by Dzau. However, Dzau fails to disclose all of the limitations of claims 25-30, as required by 35 U.S.C. § 102(b).

As previously presented, independent method claim 25 recited that a surface of the seeded medical device comprises nodes formed of polytetrafluoroethylene, and includes recesses defined by nodes lifted from the surface. For purposes of clarity, Applicants have amended claim 25 to positively recite the lifting of the nodes and definition of the recesses. Support for this amendment is found in claims 1, 19 and 24 as originally filed, as well as throughout the specification.

Dzau fails to disclose or suggest applying a frictional force to lift nodes from a surface, as required by amended independent claim 25, and dependent claims 26-30. Instead, Dzau

[11] Office Action, page 3.
[12] *See In re King*, 231 USPQ 136, 138 (Fed. Cir. 1986).

describes a prosthesis formed using the stretching technique of Martakos. As discussed above, the stretching technique of Martakos does not involve or result in lifting nodes from a surface.[13]

Further, as clearly illustrated in FIG. 1 of Dzau, the material between the tapered openings of the Dzau prosthesis, which the Examiner asserted forms nodes, are not lifted from the luminal surface 6, as required by claim 25. Instead, that material *defines* the luminal surface. Also, as discussed above, the assertion that the pores 4 described by Dzau are "recesses" within the meaning of claim 25 is an unreasonable interpretation of the term "recesses." Contrary to the meaning that a person of ordinary skill would give the term "recesses" within claim 25 upon consideration of Applicants' specification, the Dzau pores 4 are present in the device without lifting nodes.

Dzau fails to disclose each and every limitation set forth in independent claim 25. For at least these reasons, the Examiner has failed to establish a prima facie case for anticipation of claims 25-30 by Dzau under 35 U.S.C. § 102(b). Withdrawal of these rejections is respectfully requested.

Sato (US 4,596,577)

The Examiner rejected claims 11, 12, 14-24, 31 and 32 under 35 U.S.C. § 102(b) as being anticipated by Sato. However, Sato fails to disclose all of the limitations of claims 11, 12, 14-24, 31 and 32, as required by 35 U.S.C. § 102(b).

For example, with respect to independent claims 11 and 19, Sato fails to disclose or suggest a method comprising lifting **nodes** from surface. Sato discusses a material that includes nodes and fibrils:

> These stretched porous PTFE products comprise numerous fine nodes interconnected by fibrils....[14]

Sato further describes a "nap" on the surface of the device. Sato describes the "nap" as being fibrils lifted from the surface.[15] Nowhere does Sato disclose or suggest lifting nodes from any surface. Rather, Sato teachings are focused on creating a "nap" by lifting fibrils, not nodes, from a surface.

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[13] Dzau, col. 5, ll. 13-18.
[14] Sato, col. 1, lines 33-35; see also col. 4, lines 46-47.

As other examples, Sato fails to disclose or suggest numerous limitations of the dependent claims to which it is applied. For example, Sato does not suggest moving bristles in a luminal direction that is along an axis of a tube-shaped structure, as required by claim 16. Further, Sato fails to suggest rubbing in a direction that is substantially perpendicular to an orientation of nodes, as required by claim 21, as amended.[16] Similarly, Sato fails to suggest rubbing or applying a force in a direction substantially parallel to fibrils oriented to interconnect nodes, as required by claims 31 and 32, as amended.[17] FIGS. 1, 2 and 10 illustrate an example of application of a force to a luminal surface in a direction 32, 92 that is substantially parallel to an axis of a prosthesis and fibrils orientated to interconnect nodes, as well as substantially perpendicular to an orientation of the nodes. As illustrated by FIG. 10, a direction substantially parallel to oriented fibrils is a direction substantially parallel to a length or longer dimension of the fibrils, and a direction substantially perpendicular to nodes is direction substantially perpendicular to the length or longer dimension of the nodes.

Sato is completely silent regarding a direction for the described brushing, either relative to the device, relative to fibrils, or relative to the nodes. Further, a person of ordinary skill would not have considered the Sato methods to *necessarily* involve *any* of the numerous possible brushing directions, much less the particular directions recited in claims 16, 21, 31 and 32. Accordingly the requirements of these claims are not inherent in the Sato disclosure.

As further examples, Sato does not disclose or suggest applying a pressurized fluid, such as water or air, to lift nodes from a surface, as recited by claims 23 and 24. Instead, Sato teaches impregnation of a material with water, which is then frozen.[18] Sato teaches that impregnation of the material with water and freezing is necessary, and must occur prior to application of a rotary brush to achieve the desired "nap" of fibrils.[19]

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[15] Sato, col. 4, lines 12-13 ("The nap 7 may usually be formed by fibrils....").
[16] For purposes of clarity, Applicants have amended claim 21 to recite that the rubbing is in a direction that is substantially perpendicular to an orientation of nodes. Support for this amendment may be found throughout the application as originally filed, including, for example, paragraphs [0029] and [0032], and FIGS. 1 and 2.
[17] For purposes of clarity, Applicants have amended claims 31 and 32 to recite that the rubbing or application of force is in a direction substantially parallel to an orientation of fibrils. Support for this amendment may be found throughout the application as originally filed, including, for example, paragraph [0053] and FIG. 10.
[18] Sato, col. 3, ll. 55-64.
[19] Sato, col. 3, ll. 64-67.

In other words, Sato does not suggest that impregnation with water has any effect on a surface, much less raising nodes as required by Applicants' claims. Instead, Sato teaches that impregnation with water is merely a preliminary step, albeit a necessary step, prior to the brushing that affects the surface. Furthermore, for at least the reasons discussed above with respect to the water flush described by Bruchman, impregnation with water would not *necessarily* raise nodes, as would be required for a finding of inherency.

Sato fails to disclose each and every limitation set forth in claims 11, 12, 14-24, 31 and 32. For at least this reason, the Examiner has failed to establish a prima facie case for anticipation of these claims by Sato under 35 U.S.C. § 102(b). Withdrawal of these rejections is respectfully requested.

Claim Rejections Under 35 U.S.C. § 103

In the Office Action, the Examiner rejected claims 14-16 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Bruchman, and claim 22 under 35 U.S.C. § 103(a) as being unpatentable over Okuda. Applicants respectfully traverse these rejections to the extent such rejections may be considered applicable to the claims as amended. The applied references fail to disclose or suggest the inventions defined by Applicants' claims, and provide no teaching that would have suggested the desirability of modification to arrive at the claimed invention.

Initially, Applicants note that each of claims 14-16, 18 and 22 depends from one of independent claims 11 and 19, and is patentable over Bruchman and Okuda for at least the reasons discussed above with respect to the independent claims. Further, the Examiner's arguments in support of a prima facie case of obviousness for these claims lack evidentiary support and are legally improper.

For example, with respect to claims 14 and 15, the differences between a cotton swab and a wheel brush would have been clear and significant from the perspective of one of ordinary skill in the art. For example, a swab may provide gentle forces for removing a subendothelial layer while leaving other layers intact, as taught by Bruchman. Compared with a cotton swab, a wheel brush with bristles would provide forces relatively harmful to other layers. Accordingly, a person of ordinary skill in the art would not have considered it obvious to substitute a wheel brush for the cotton swab described by Bruchman. The Examiner has cited no evidence suggesting that

one or ordinary skill would have considered it desirable, or even possible, to use a wheel brush for removal of a subendothelial layer while leaving other layers intact, in the manner taught by Bruchman.

Lacking any evidence that proposed substitution would have been obvious, the Examiner relied on legally improper assertions of "design choice." Such unsupported assertions are contrary to clear Federal Circuit precedent, which holds that a finding of obviousness must be based upon substantial evidence, and not subjective musings or conjecture by the Examiner.[20] Consequently, unless the Examiner can establish an evidentiary record based on concrete prior art references that establish that it would have been obvious to a person with ordinary skill to use a wheel brush with bristles to remove a subendothelial layer in the manner taught by Bruchman, the rejection of claims 14 and 15 should be withdrawn.

The Examiner also suggested that use of a wheel brush with bristles would have been obvious because Applicants have not "disclosed that using the particular brush or brush material provides any advantage, or solves a stated problem, or is used for a particular purpose." This analysis is also legally improper. Whether a requirement of Applicants' claims is obvious depends upon what is taught in the prior art, rather than Applicants' disclosure[21]. Moreover, the Examiner's characterization of Applicants' disclosure is incorrect. For example, at paragraph **[0035]**, the disclosure states:

> Tool 26 may also include a wheel brush with bristles. The bristles may be constructed of any material, including metal, plastic, rubber or ceramic. Through experimentation, it has been discovered that a wheel brush with metal bristles, such as brass or stainless steel bristles, can generate recesses in the luminal surface. A wheel brush with nylon bristles also is effective in generating recesses.

Further, paragraph **[0056]** notes:

> When the tool used to rub the luminal surface is a wheel brush with bristles, for example, the bristles may contact nodes and lift the nodes from the luminal surface by friction.

Applicants also direct the Examiner's attention to paragraphs **[0062]** and **[0063]** of the application, which describe an embodiment in which a wheel brush was used.

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[20] *In re Lee*, 61 USPQ2d 1430 (Fed. Cir. 2002) (emphasis added).
[21] *In re Oetiker*, 24 USPQ2d 1443, 1445 (Fed. Cir. 1992).

As another example, regarding claim 16, the Examiner asserted that it is inherent that the rubbing with a cotton swab described by Bruchman occurs in a luminal direction along a luminal axis. This assertion lacks any evidentiary basis. Bruchman is entirely silent regarding a direction for rubbing. In fact, because Bruchman teaches rubbing for the purpose of removal of a subendothelial layer, the direction of the rubbing is of no consequence in the Bruchman disclosure. In other words, from Bruchman it would appear that the subendothelial layer may be removed by rubbing in any direction. Accordingly, Bruchman does not *necessarily* involve *any* of the numerous possible rubbing directions, much less rubbing in a luminal direction along a luminal axis, as recited in claim 16.

Further, in rejecting claim 22, the Examiner improperly relied on an assertion of design choice and a reference to a supposed lack of teachings of advantages in Applicants' disclosure. For the reasons discussed above with respect to claims 14 and 15, these arguments are legally insufficient to support a prima facie case of obviousness.

Moreover, with respect to claim 22, a brush with bristles is significantly different than the stainless steel rod described by Okuda. Okuda teaches that the purpose of the stainless steel rod is to provide a supportive structure within an ePTFE tube during lamination of a layer over the tube. A person of ordinary skill in the art would have recognized that bristles within the lumen would not have provided adequate support for the lamination described by Okuda. Accordingly, a person of ordinary skill in the art would not have considered the Examiner's proposed substitution of a brush for the rod described by Okuda to be obvious.

For at least these reasons, the Examiner has failed to establish a prima facie case for non-patentability of Applicants' claims 14-16, 18 and 22 under 35 U.S.C. § 103(a). Withdrawal of these rejections is respectfully requested.

New Claims

Applicants have added claims 33-37 to the pending application. No new matter has been added by the new claims. Furthermore, the applied references fail to disclose or suggest the inventions defined by Applicants' new claims, and provide no teaching that would have suggested the desirability of modification to arrive at the claimed inventions.

For example, new independent claim 33 recites a method for treating a luminal surface of a vascular prosthesis that comprises expanded polytetrafluoroethylene, the luminal surface comprising nodes and fibrils, the method comprising applying a frictional force to the luminal surface to lift at least some of the nodes form the luminal surface and form recesses wherein the lifted nodes are substantially free of fibrils. Support for this new claim may be found throughout the application as originally filed, including, for example, paragraphs [0042], [0049], [0056] and [0066], and FIG. 4.

The applied references fail to disclose the requirements of new claim 33. For example, because of the structure of ePTFE, nodes and attached fibrils are inherently present in the ePTFE devices described by applied references. Accordingly, the ePTFE nodes in these references are not substantially free of attached fibrils, as required by claim 33. Additionally, in contrast to the requirement of lifting nodes in claim 33, Sato describes brushing ePTFE to raise fibrils, as discussed above.

Further, the references fail to disclose or suggest a method for treating a luminal surface of a vascular prosthesis that comprises expanded polytetrafluoroethylene, the method comprising applying a frictional force to the luminal surface substantially in the absence of frozen liquid to lift nodes form the luminal surface and form recesses, as recited by new independent claim 35. Support for claim 35 may be found throughout the specification and claims as originally filed, including, for example, paragraphs [0056], [0062], [0063] and [0066] of the specification. As an example of the failure of the applied references to disclose the requirements of new claim 35, Sato teaches brushing a surface only when the material is impregnated with frozen water.[22] Brushing after impregnating with water and freezing is the only method described by Sato.

[22] Sato, col. 3, ll. 64-47.

For at least the reasons discussed above with respect to claims 21, 31 and 32, the applied references fail to teach or suggest the requirements of new dependent claims 34 and 36. Similarly, the references fail to disclose or suggest, a method for treating a luminal surface of a vascular prosthesis that comprises expanded polytetrafluoroethylene, wherein the luminal surface comprises nodes and fibrils and the vascular prosthesis has a generally tube-shaped structure having an axis, the method comprising rubbing the luminal surface with a brush in a direction that is substantially parallel to the axis of the vascular prosthesis and oriented fibrils to lift nodes form the luminal surface and form recesses, as recited by new independent claim 37. Support for claims 34, 36 and 37 may be found throughout the application as originally filed, including, for example, paragraphs [0029], [0032] and [0053], and FIGS. 1, 2 and 10.

Further, the applied references fail to teach or suggest everting an ePTFE vascular prosthesis after rubbing a luminal surface with a brush, as recited by new claim 38, or that rubbing comprises contacting a luminal surface from within a tube-shaped structure of an ePTFE vascular prosthesis, as recited by new claim 39. Additionally, the applied references fail to disclose or suggest that rubbing comprises moving a brush through a tube-shaped structure of an ePTFE vascular prosthesis in a direction substantially parallel to an axis of the tube-shaped structure, as recited by new claim 40, or rubbing an abluminal surface, as recited by new claim 41. Support for claims 38-41 may be found throughout the application as originally filed, including, for example, claim 18 and paragraphs [0060] and [0061].

CONCLUSION

All claims in this application are in condition for allowance. Applicants respectfully request reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date: 6-16-06

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